



GARY ADELMAN
PARTNER
G@ADELMANMATZ.COM
DIR: (646) 650-2198

March 13, 2018

VIA ECF AND E-MAIL

The Hon. Judge Cathy Seibel
The Hon. Charles L. Briant Jr.
Federal Building and United States Courthouse
300 Quarropas St., Courtroom: 621
White Plains, NY 10601-4150
chambersnysdseibel@nysd.uscourts.gov

Re: *Can't Stop Productions, Inc. v. Sixxvux, Ltd. et al.* 7:17-cv-06513-CS

Hon. Judge Seibel:

We represent the Defendants in the above referenced action. Pursuant to rule 1.A of Your Honor's Individual Practices, we write in response to Plaintiff's letter dated March 12, 2018 and the Court's Endorsed Memo that was filed this morning.

As an initial matter, I disagree with Mr. Levy's characterization of the conversation and what was requested, or the implication that we failed to respond, though this issue appears to be moot at this point.

We further write regarding the scheduling of any hearings on potential motions. Both the undersigned and co-counsel Sarah Matz are traveling out of state for business this week and most of next week. As such, we respectfully request that any such hearing on motions be held in tandem with the Conference that has been previously scheduled for March 28, 2018, since all counsel will already be present in person. Alternatively, if the Court holds a hearing earlier we respectfully request that it be Tuesday, March 20, 2018, as the undersigned will be back in New York that day, or that we be provided with electronic copies of the papers ahead of time and that we be allowed to participate telephonically.

Lastly, while we are unsure how Mrs. Willis contacted Chambers to advise that she would be filing a TRO Friday, as she never advised the undersigned counsel of any intent to file a TRO, Defendants respectfully request that the Court instruct Mrs. Willis to include counsel for Defendants in future communications with the Court.

ADELMAN MATZ P.C.

PHONE: (646) 650-2207 • FAX: (646) 650-2108

MAILING:
1173A SECOND AVENUE, SUITE 153
NEW YORK, NEW YORK 10065

OFFICE:
780 THIRD AVENUE, 14TH FLOOR
NEW YORK, NEW YORK 10017

We appreciate the Court's time and consideration, and should Your Honor need any further information or if the Court would like to discuss any of the above, we can be available at the Court's convenience telephonically.

Respectfully Submitted,

ADELMAN MATZ P.C.



Gary Adelman, Esq.

Cc. (Via ECF and E-Mail)
Counsel for Plaintiff
Karen Willis

As Defendants' counsel know, a party can make an application for emergency relief when it sees fit, and unless the circumstances excuse it, must give reasonable notice to the other party or parties. Ms. Willis called chambers to see if the Court was available Friday morning for a possible TRO application and was told it was. If she intends to proceed on Friday, she must give reasonable notice, which to my mind, in these circumstances, would be no later than Wednesday. If there is nobody who can appear for Defendants in person, their counsel can ask to attend by phone, or they may submit something in writing, or they may eschew participation. But if there is ongoing irreparable harm, the injured party does not have to wait until a scheduled conference.

SO ORDERED.


CATHY SEIBEL, U.S.D.J.

March 13, 2018